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Serial No.: 09/842,496
RCE to OA of 09/07/2005

Remarks

In this RCE, one claim (27) is amended; six claims (11-14 and 35-36) are canceled; and six claims (37-42) are newly added. No new matter is presented. Claims 1-10, 15-34, and 37-42 are presented for examination.

I. Claim Rejections: 35 USC § 102

Claims 1-10 and 15-34 are rejected under 35 USC § 102(e) as being anticipated by USPN 6,349,238 (Gabbita). This rejection is traversed.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. See MPEP § 2131, also, *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Since Gabbita neither teaches nor suggests each element in the rejected claims, these claims are allowable over Gabbita. Specifically, each of the independent claims recites numerous recitations that are not taught or suggested in Gabbita. Applicants argue claim 1 as an example.

Claim 1 recites a node group database that stores a group of work nodes referred to by a generic node. A workflow engine executes the generic node. Claim 1 then recites that the workflow engine accesses the node group database for the group of work nodes when the generic node is to be executed. In other words, claim 1 recites when the workflow engine accesses the work nodes referred to by the generic node. Access of these work nodes occurs when the generic node is to be executed. Gabbita does not teach or suggest these recitations.

FIG. 2 is a flowchart in Gabbita that depicts the overall process. As shown, in block #206, the LSAT first uses data elements to select the Work Plan from the DBMS (9: 14-15). Specifically, the LSAT uses a selection algorithm to process preprogrammed logic to select an appropriate Work Plan for processing (9: 18-23). Next, once a Work Plan is selected, the LSAT schedules the workflow steps (9: 29-38). At this juncture, the workflow process has not yet begun to be executed. The specification in Gabbita expressly teaches:

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Once a Work Plan is scheduled, control passes to step 208. In step 208 LSAT 102 assigns appropriate Resources to perform the activities or tasks associated with each workflow step. (10: 20-23).

Thus, Gabbita does not teach or suggest that a workflow engine accesses the node group database for the group of work nodes when the generic node is to be executed. In Gabbita, the database is accessed before execution of the workflow process commences.

For at least these reasons, independent claims 1, 8, and 27 are allowable over Gabbita. The dependent claims are allowable for at least these reasons.

II. New Claims

Applicants add new claims 37-42. These claims have numerous recitations that are not taught or suggested in the art of record.

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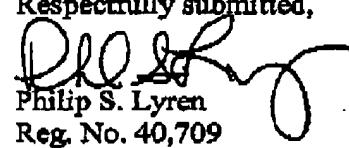
BEST AVAILABLE COPY**CONCLUSION**

In view of the above, Applicants believe all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. (281) 514-8236, Facsimile No. (281) 514-8332. In addition, all correspondence should continue to be directed to the following address:

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CERTIFICATE UNDER 37 C.F.R. 1.8

The undersigned hereby certifies that this paper or papers, as described herein, is being transmitted to the United States Patent and Trademark Office facsimile number 571-273-8300 on this 06 day of December, 2005.


By
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